NPT/CONF.2010/PC.III/CRP.6

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

7 May 2009

English only

Third session
New York, 4-15 May 2009

Draft decision on the allocation of items to the Main Committees of the Review Conference

The Preparatory Committee decides to allocate the following items to the Main Committees at the Review Conference:

I. Main Committee I

Item 16. Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference:

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues consicered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolutions 255 (1968) and 984 (1995);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality.

09-33095 (E)

Please recycle

2. Main Committee II

Item 16. Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference:

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality.

3. Main Committee III

Item 16. Review of the operation of the Treaty, as provided for in its article VIII (3), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V;

(e) Other provisions of the Treaty.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at strengthening the implementation of the Treaty and achieving its universality.

* * *

Additionally, the issues of disarmament and non-proliferation education, and institutional issues will be dealt with under agenda item 17, respectively, in Main Committee I and in Main Committee II.

13 May 2009

English only

Third session
New York, 4-15 May 2009

Draft final report of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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09-33710 (E)

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I. Terms of reference and organization of work

1. At its sixty-first session, the General Assembly, in its resolution 61/70 of 6 December 2006, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), following appropriate consultations, to hold the first session of the Preparatory Committee in Vienna from 30 April to 11 May 2007.

2. Accordingly, the Committee held its first session in Vienna from 30 April to 11 May 2007. Following the decisions taken at the first and second sessions, the Committee held its second session at Geneva from 28 April to 9 May 2008 and its third session in New York from 4 to 15 May 2009. Reports covering the first two sessions of the Committee were issued, respectively, as documents NPT/CONF.2010/PC.I/22 and NPT/CONF.2010/PC.II/13.

3. At the first session of the Preparatory Committee, an understanding had been reached among delegations, according to which a representative of the Western Group should be proposed to chair the first session, a representative of the Group of Eastern European States should be proposed to chair the second session, a representative of the Group of Non-Aligned and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons should be proposed to chair the third session and a representative of the Group of Non-Aligned and other States parties to the Treaty should be proposed for the presidency of the 2010 Review Conference.

4. Pursuant to that understanding, at its first session, the Preparatory Committee elected Yukiya Amano (Japan) to serve as Chairman of the first session. It also decided that Volodymyr Yelchenko (Ukraine) would be the Chairman of the second session. It was further decided that, when not serving as Chairman, the chairmen of the sessions of the Preparatory Committee would serve as Vice-Chairmen of the Committee.

5. At its second session, the Committee decided to elect Boniface Guwa Chidyausiku as Chairman of the third session.

6. At the third session, the Committee authorized its Bureau and the President-Elect to handle technical and other organizational matters, as well as to carry out consultations with States parties in the period before the Conference. It also decided that the Chairman of the third session should open the Conference.

7. At its first session, the Committee adopted its agenda as contained in document NPT/CONF.2010/PC.I/15, as follows:

1. Opening of the session.
2. Election of the Chairman.
3. Adoption of the agenda.
4. General debate on issues related to all aspects of the work of the Preparatory Committee.
5. Statements by non-governmental organizations.
6. Preparatory work for the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty, in particular, consideration of principles, objectives and ways to promote the full

implementation of the Treaty, as well as its universality, including specific matters of substance related to the implementation of the Treaty and decisions 1 and 2, as well as the resolution on the Middle East, adopted in 1995, and the outcomes of the 1975, 1985, 2000, and 2005 Review Conferences, including developments affecting the operation and purpose of the Treaty, and thereby considering approaches and measures to realize its purpose, reaffirming the need for full compliance with the Treaty.[1]

7. Organization of work of the Preparatory Committee:

   (a) Election of officers;

   (b) Dates and venue for further sessions;

   (c) Methods of work:

      (i) Decision-making;

      (ii) Participation;

      (iii) Working languages;

      (iv) Records and documents.

8. Report on the results of the session to the next session of the Preparatory Committee.

9. Organization of the 2010 Review Conference:

   (a) Dates and venue;

   (b) Draft rules of procedure;

   (c) Election of the President and other officers;

   (d) Appointment of the Secretary-General of the Review Conference;

   (e) Provisional agenda;

   (f) Financing of the Review Conference, including its Preparatory Committee;

   (g) Background documentation;

   (h) Final document(s).

10. Adoption of the final report and recommendations of the Preparatory Committee to the Review Conference.

11. Any other matters.

8. In connection with the adoption of the agenda, the Committee adopted the following decision: "The Committee decides that it understands the reference in the agenda to 'reaffirming the need for full compliance with the Treaty' to mean that it will consider compliance with all the provisions of the Treaty." The Committee also

[1] The Committee decides that it understands the reference in the agenda to "reaffirming the need for full compliance with the Treaty" to mean that it will consider compliance with all the provisions of the Treaty.

decided that the text of the above decision would be included as the footnote to item 6 of the agenda.

9. Thomas Markram, Senior Political Affairs Officer, Weapons of Mass Destruction Branch, Office for Disarmament Affairs, served as Secretary of the Preparatory Committee. Tariq Rauf, Head, Verification and Security Policy Coordination, Office of External Relations and Policy Coordination, International Atomic Energy Agency (IAEA) represented the Agency at all sessions.

10. Delegations of the following 132 States parties participated in one or more sessions of the Preparatory Committee:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Holy See, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

11. At its first session, the Committee decided that:

(a) Representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled to submit documents to the participants in the Committee. Palestine participated in the work of the meetings of the Committee as an observer;

(b) Representatives of specialized agencies and international and regional intergovernmental organizations should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled to submit, in writing, their views and comments on questions within their competence, which may be circulated as documents of the Committee. Furthermore, the Committee decided, based on the agreement at the third session of the Preparatory Committee

for the 2005 NPT Review Conference, which would be applied mutatis mutandis, that specialized agencies and international and regional intergovernmental organizations be invited to make oral presentations to the Committee upon the decision of the Committee, on a case-by-case basis. Accordingly, the following specialized agencies and international and regional intergovernmental organizations were represented as observers at the meetings of the Committee: the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, the European Commission, the League of Arab States, the Organization for the Prohibition of Chemical Weapons and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;

(c) Representatives of non-governmental organizations (NGOs) should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the designated area, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. The Committee shall also allocate a meeting to non-governmental organizations to address each session of the Committee. Representatives of 114 non-governmental organizations attended one or more sessions of the Committee.

12. At its first session, the Committee decided to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, the Committee would then take decisions in accordance with the rules of procedure of the 2005 Review Conference, which would be applied mutatis mutandis.

13. Also at its first session, the Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as its working languages.

14. In accordance with the Committee's decision at its first session, summary records were provided, at each session, for the Committee's opening meetings, the general debate and the closing meetings. The summary records of the first session were issued as documents NPT/CONF.2010/PC.I/SR.1-4, 6 and 19. The summary records of the second session were issued as documents NPT/CONF.2010/PC.II/SR.1-3, 5 and 14. The summary records of the third session (NPT/CONF.2010/PC.III/SR.1-3, 5 and ...) are issued separately as annex I to the present report.

15. Also at each session, the Committee set aside one meeting for presentations by representatives of non-governmental organizations.

II. Substantive work of the Committee

16. The Committee held 25 meetings devoted to substantive discussions under agenda item 6.

17. The discussion at each session of the Preparatory Committee was structured according to indicative timetables, which provided equal time for the consideration of three clusters of issues and three specific blocs of issues.

18. The Committee considered the following three clusters of issues based on the allocation of items to the Main Committees of the 2005 Review Conference (NPT/CONF.2005/DEC.1):

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security;

(b) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones;

(c) Implementation of the provisions of the Treaty relating to the inalienable right of all States parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with articles I and II.

19. The Committee considered the following three specific blocs of issues:

(a) Nuclear disarmament and security assurances;

(b) Regional issues, including with respect to the Middle East and the implementation of the 1995 resolution on the Middle East;

(c) Other provisions of the Treaty, including article X.

20. The Committee had before it a number of documents submitted by delegations. The list of the documents submitted during the Committee's sessions is contained in annex II to the present report.

III. Organization of work of the Review Conference

21. In the course of its sessions, the Committee considered the following questions relating to the organization and work of the 2010 Review Conference:

(a) Dates and venue;

(b) Draft rules of procedure;

(c) Election of the President and other officers;

(d) Appointment of the Secretary-General;

(e) Provisional agenda;

(f) Financing of the Review Conference, including its Preparatory Committee;

(g) Background documentation;

(h) Final document(s).

Dates and venue of the Conference

22. At its first session, the Committee decided to hold the Review Conference in New York from 26 April to 21 May 2010.

23. At its third session, the Committee adopted the following decision: "Taking into account the developments resulting from the Capital Master Plan (CMP) regarding the availability of conference services and facilities, the Committee decides to hold the Review Conference in New York from 3 to 28 May 2010".

Draft rules of procedure

24. At its third session, the Committee considered the draft rules of procedure for the Conference and agreed to recommend to the Conference the draft rules of procedure as contained in annex III to the present report.

25. Also at its third session, the Committee agreed to recommend to the Conference that, notwithstanding rule 44.3 of the draft rules of procedure recommended to the Conference, specialized agencies and international and regional intergovernmental organizations be invited to make oral presentations to the Conference upon the decision of the Conference, on a case-by-case basis.

26. Furthermore, at its third session, the Committee agreed to recommend to the Conference that, in accordance with the draft rules of procedure, representatives of non-governmental organizations be allowed to attend meetings, other than those designated as closed, and to receive documents of the Conference; that, in accordance with past practice, non-governmental organizations be allowed to make written material available, at their own expense, to the participants of the Conference; and that non-governmental organizations be allowed to address the Conference, consistent with the Final Document of the 2000 Review Conference.

Election of the President and other officers

27. At its third session, the Committee unanimously endorsed the candidacy of Libran N. Cabactulan of the Philippines for the presidency of the 2010 Review Conference.

28. Also at the third session, the Committee agreed to recommend that Main Committee I should be chaired by a representative of the Group of Non-Aligned and Other States, i.e., the Chairman of the third session of the Preparatory Committee (Zimbabwe); Main Committee II should be chaired by a representative of the Group of Eastern European States, i.e., the Chairman of the second session of the Preparatory Committee (Ukraine); and that Main Committee III should be chaired by a representative of the Western Group, i.e., the Chairman of the first session of the Preparatory Committee (Japan).

29. The Committee also agreed to recommend that the post of Chairman of the Drafting Committee be assumed by a representative of the Group of Eastern European States, and the post of Chairman of the Credentials Committee by a representative of the Group of Non-Aligned and Other States.

Appointment of the Secretary-General

30. At its second session, the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, a nomination to be confirmed by the Conference itself. At its third session, the Committee was informed of the decision of the Secretary-General, taken after consultations with the members of the Preparatory Committee, to nominate Thomas Markram, Senior Political Affairs Officer, Weapons of Mass Destruction Branch, Office for Disarmament Affairs of the United Nations Secretariat, to serve as provisional Secretary-General of the Conference. The Committee took note of that nomination.

Provisional agenda

31. At its third session, the Committee adopted the draft provisional agenda of the 2010 Review Conference as contained in annex IV to the present report.

32. At the same session, the Committee adopted the draft decision on the allocation of items to the Main Committees of the Conference as contained in annex V.

Financing of the Review Conference, including its Preparatory Committee

33. At its second session, the Committee took note of the estimated costs of the Conference, including its Preparatory Committee (NPT/CONF.2010/PC.II/1). In order to promote greater financial transparency and accountability and taking into account the practice of multilateral and other organizations, the Committee, at its second session, decided to request the Secretary-General of the United Nations to provide a financial report to the Review Conference and each session of its Preparatory Committee to be circulated as an official document. Pursuant to this decision, the financial report was submitted to the third session of the Preparatory Committee (NPT/CONF.2010/PC.III/1).

34. At its third session, the Committee agreed to the schedule for the division of costs. The schedule for the division of costs is contained in the appendix to the draft rules of procedure as reflected in annex III to the present report.

Background documentation

35. At its third session, the Preparatory Committee decided to invite the Secretary-General to prepare documentation, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the Final Document of the 2000 Review Conference. The decision on background documentation is contained in annex VI of the present report.

Final document(s)

36. At its third session, the Committee decided to defer the consideration of this matter to the 2010 Review Conference.

IV. Participation at the Review Conference

37. At the third session, the Committee decided that invitations to States which, in accordance with the decision on participation, were entitled to participate in the Conference, as well as invitations to the Secretary-General of the United Nations and the Director-General of the International Atomic Energy Agency, should be issued by the Chairman of the third session of the Preparatory Committee.

V. Adoption of the final report

38. The Preparatory Committee adopted its final report at its last meeting, on 15 May 2009.

Annex I

Summary records

The summary records of the meetings of the third session of the Preparatory Committee will be issued separately in documents NPT/CONF.2010/PC.III/SR.... and ....

Annex II

List of documents

(to be added)

Annex III

Draft rules of procedure

(*to be added*)

Annex IV

Provisional agenda

(*to be added*)

Annex V

Allocation of items to the Main Committees of the Conference

(*to be added*)

Annex VI

Background documentation

(*to be added*)